

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
May 20, 2003

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:02 p.m., Tuesday, May 20, 2003, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were J. Mark Carter, Assistant County Administrator, and James E. Barnett, County Attorney.

James O. McReynolds, County Administrator, was absent.

Invocation. Reverend Joe Parrish from Seaford Church of Christ gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

**HIGHWAY MATTERS**

Mr. Steve Hicks, Resident Engineer, Virginia Department of Transportation (VDOT), appeared to report on area highways. He stated that the National Park Service tour road overpass of Route 17 had been completed, and would be opened up by the end of the month. Dare Road will also be completed by the end of this month. He explained that repairs and paving will take place on a portion of Victory Boulevard that will cause traffic congestion, but emphasized that the finished product would be very nice and would improve traffic flow. He noted that the improvements to the dual-left-turn lanes at Denbigh Boulevard and Route 17 would be completed by next month. He announced that a public hearing would be held on May 21 at 4:00 p.m. at Grafton Middle School concerning the Lakeside Drive improvements. He mentioned the Wolftrap Road intersection and indicated the work on the railroad crossing would be a lengthy process in dealing with the railroad company. He stated that the overlay on Harris Grove Road had been completed, and the overlay on Hornsbyville Road should be completed soon. He mentioned Grafton Drive and acknowledged the inconvenience to motorists in not being able to make a right-turn on red. He stated that the Traffic Engineering division would determine when will be the best time to have the turning restrictions in place. Mr. Hicks then informed the Board he would be giving a presentation this evening in response to Mr. Zarembo's request on potholes.

Mr. Zarembo informed Mr. Hicks of a pothole on Royal Grant Drive that has been covered several times and asked him to have the road repaired. He mentioned the Creekside Landing Development, and that the contractor had run water and sewer and had cut across Hubbard Lane twice and made a mess on the two places cut. He asked if the contractor was responsible to come back and grade the area.

Mr. Hicks stated it was VDOT's responsibility.

Mr. Shepperd asked for some clarification on what repairs would be made to Victory Boulevard.

Mr. Hicks stated the asphalt would be removed for resurfacing on the area in front of K-Mart.

Mr. Wiggins mentioned the Grafton Drive and Rainbrook Villa area traffic problems and how the problems could have been eliminated if VDOT had had the money to continue the road on through. He stated there was a dangerous situation with the people in Rainbrook Villas making u-turns and those from Grafton Drive turning right on red. He noted he was one of the people who advocated for the no right turn on red, but now that it's up there, it does pose a serious problem. Mr. Wiggins then asked how long it would be before the Denbigh Boulevard and Route 17 project was finished.

Mr. Hicks stated the median has been pushed back, and the shoulders have been beefed up as planned. He noted that within three to four weeks the new traffic signal, new loop detector system, and the timing will be completed.

Mrs. Noll thanked Mr. Hicks for his quick response for Route 238 to be put on the paving schedule now and then again around 2006 so that it would be ready for the 2006-2007 celebration.

Chairman Burgett thanked Mr. Hicks for the Dare Road improvements. He also noted he would be attending the Lakeside Drive meeting tomorrow evening.

## **PRESENTATIONS**

### **STUDENT LOCAL GOVERNMENT PROGRAM** (Not on Agenda)

Mr. Greg Davy, York County Public Information Officer, explained that the month of May was Student Local Government Month, and he then introduced the student shadows present this evening who participated in the Student Local Government Program today:

<u>Student</u>	<u>School</u>
Jeff Bell	Bruton High School
Stephanie Quigley	Grafton High School
Fallon Burner	Grafton High School
Carla McKeag	Grafton High School
Jennifer Weitzel	Bruton High School
Victoria Burns	Tabb High School
Mary Conlee	Bruton High School

## **YORK COUNTY BOARDS AND COMMISSIONS**

Chairman Burgett introduced and welcomed Mr. William Beatovich as the newest member to the Historic Triangle Bicycle Advisory Committee. Mr. Burgett then presented Mr. Beatovich with a Boards and Commission Handbook and a York County pin.

EMPLOYEE RECOGNITION PROGRAM

Chairman Burgett congratulated Ms. Barbara A. Holston for having attained 25 years of service with the County. He then presented a 25-year service pin and certificate to Ms. Holston.

VDOT MAINTENANCE OPERATIONS AND THE ROUTE 199 WIDENING PROJECT

Mr. Hicks stated that this fiscal year VDOT received \$885 million statewide, and the Hampton Roads District received close to \$112 million. He spoke of the percentages of how the money was distributed, stating that the \$74 million was budgeted for FY03 emergency snow removal, which is not included in the Hampton Roads district budget. The Williamsburg residency allocation for FY03 is \$10.3 million, and as of April 30 it had spent \$6.5 million, which represents a payroll for 56 maintenance employees. He stated that 67 percent of the expenses are contract-related, and \$208,000 was cut because in addition to the revenue, \$200,000 was still needed to cover some of the priority expenses. Of the \$10.3 million, the residency has only \$10.1 million because of the unforeseen events statewide. He stated that \$700,000 was set aside because at any time they could have a slope failure or something else that requires immediate attention. Mr. Hicks then explained some of the breakdowns on repairs between differing localities, stating \$606,000 went to snow removal, and the pothole repairs cost \$108,000. He stated VDOT is cutting back its maintenance spending for this fiscal year, and would be curtailing a lot of maintenance operations such as mowing. Most of the VDOT maintenance expense is focused on pavement, drainage, pipes, and bridges. Mr. Hicks stated that on July 1 the Residency would have \$12 million for FY04, \$2 million more than last year.

Mr. Gary Massie, a Williamsburg area contractor, appeared on behalf of the Jamestown 2007 Corridor Constructors. He explained that Jamestown 2007 Corridor Constructors is a limited liability company that is formed by three area contractors that consist of Bryant Contracting, Curtis Contracting, and Jack Massie Contractor. He stated the group was formed when they made a proposal to VDOT under the 1995 Public-Private Transportation Act (PPTA), which is legislation allowing VDOT another tool in its drive to provide infrastructure improvements to the community. He stated that they incorporate design with construction, incorporate utility relocation with the construction contract, and incorporate some financing associated with the contract that is not typically found in a VDOT procurement. He stated they also function under a proposal process rather than an advertised low-bid process. He explained that the Jamestown 2007 project consists of four segments with a promise from VDOT to the community that these projects will be finished by December 2006. He detailed some of the construction phases and what was expected to be accomplished during construction.

Mrs. Noll stated she felt that PPTA was a fascinating concept, and she asked what the advantages were to him, VDOT, and the citizens for using this route.

Mr. Massie explained that one of the benefits to his company is having work lined up. He also stated that they take a lot of risks that VDOT would normally take. Mr. Massie stated the advantages for the citizens are dollar savings.

CITIZENS COMMENT PERIOD

Mr. Arthur Edlow, 102 Nancy Court, appeared before the Board concerning Dogwood Road and the need for the road to be widened. He stated that more residents live in that area now and

that there is room for only one vehicle at a time on the road. He stated it was also difficult for school buses to travel down to the houses at the end of the road. He indicated there were potholes at Route 238 and Dogwood Road. He also mentioned that water covers the roadway when heavy rains are in the area. He asked the Board to consider addressing these problems.

Ms. Carol Edlow, 102 Nancy Court, spoke concerning the need to widen Dogwood Road, stating there is a sharp, blind curve on the road that needed to be corrected. She stated that due to construction in the area, the vehicles coming from Nancy Court could not be seen, which has resulted in several near-miss collisions.

Mr. Robert Fowlers, 100 Nancy Court, also appeared to ask for widening of Dogwood Road. He spoke of the hazards on Route 238 when attempting to turn onto Dogwood. He stated that flooding in the area makes it hazardous, along with the increase in residents from 10 to 20 with more building to take place. He asked that the County check into the problem area.

Ms. Lisa Campbell, 101 Nancy Court, stated that the entrance from Dogwood Road to Route 238 was only 12 feet wide and could not accommodate two vehicles on the road at the same time. She explained there is an "S" curve on the road, and the visibility on the curve is zero at times. She mentioned the six school bus trips each day and the difficulties the buses have getting down the road.

Meeting Recessed: At 7:59 p.m. Chairman Burgett declared a short recess.

Meeting Reconvened: At 8:07 p.m. the meeting was convened in open session by order of the Chairman.

## **PUBLIC HEARINGS**

### **FUNDING FOR THE YORKTOWN RIVERFRONT**

Mr. Carter made a presentation on proposed Resolution R03-86 to request the Commonwealth Transportation Board to approve funding through the Virginia Transportation Enhancement Program for construction of the Yorktown Riverwalk, eastern beach extension.

Chairman Burgett called to order a public hearing on proposed Resolution R03-86 that was duly advertised as required by law and is entitled:

A RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE FUNDING THROUGH THE VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM FOR CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE YORKTOWN WATERFRONT TO BE KNOWN AS THE YORKTOWN RIVERWALK, EASTERN BEACH EXTENSION.

There being no one present who wished to speak concerning the subject Resolution, Chairman Burgett closed the public hearing.

Mr. Zaremba asked about the redundancy of this submission with respect to prior submissions where the County has received funding from federal or state agencies.

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Mr. Carter explained that this is the first time funding was applied for in conjunction with this particular waterfront improvement.

Mr. Zaremba noted that the project elements contained in the grant application for the Yorktown Riverwalk, Eastern Branch Extension, are not scheduled in the Yorktown Capital Improvements Program. He asked if there was a disconnect there since the master plan lays out everything that the Board has agreed on, but yet is now requesting funds to do something that the Board hasn't approved.

Mr. Carter explained that staff would need to come back to the Board if the County is successful in receiving funding to talk to the Board about whether it is an award it wishes to accept and if funds can be found in the CIP to devote to the County match requirement.

Discussion continued on the grant funding.

Mrs. Noll then moved the adoption of proposed Resolution R03-86 that reads:

A RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE FUNDING THROUGH THE VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM FOR CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE YORKTOWN WATERFRONT TO BE KNOWN AS THE YORKTOWN RIVERWALK, EASTERN BEACH EXTENSION.

WHEREAS, the Yorktown Master Plan, adopted on March 4, 1993, subsequent to public hearing, proposes various improvements along the Yorktown waterfront including the construction of a riverwalk along the York River; and

WHEREAS, the riverwalk concept was reaffirmed and refined during a community planning workshop conducted in July 1998 and is widely supported as an important and integral element of the Yorktown improvement effort that has been underway since 1988; and

WHEREAS, The riverwalk concept can be greatly enhanced by construction of the connection referred to as the Yorktown Riverwalk, Eastern Beach Extension; and

WHEREAS, the York County Board of Supervisors desires to make application under the Virginia Transportation Enhancement Program for funding to assist in the completion of the Yorktown Riverwalk; and

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request, by resolution, be received from the Board of Supervisors in order for the Virginia Department of Transportation to provide funding for a Transportation Enhancement Program project in York County; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this request;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 20th day of May, 2003, that it hereby requests the Commonwealth Transportation Board to approve supplementary funding in the amount of \$500,000 for the Transportation Enhancement Program project for the Yorktown Riverwalk, Eastern Beach Extension.

BE IT FURTHER RESOLVED, that the York County Board of Supervisors hereby agrees to pay at least 20 percent of the total cost for planning, design, right-of-way, and construction of this project, and that, if York County subsequently elects to cancel the project, the Board hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

#### CONVEYANCE OF PROPERTY TO WATERMEN'S MUSEUM

Mr. Barnett made a presentation on proposed Resolution R03-90 to authorize the conveyance of two parcels of land located at 315 Water Street and 301 Water Street in Yorktown to the Watermen's Museum, with reserved easement for the construction of a pedestrian walkway, shoreline stabilization, and for other public purposes.

Mr. Zaremba asked if entire parcel made up the easement, and where would the Riverwalk be located.

Mr. Barnett stated the plats show the easements in areas marked 'A' and 'B'. The riverwalk will go across the area designated 'A'; the area designated for the shoreline stabilization is marked 'B'.

Chairman Burgett called to order a public hearing on proposed Resolution R03-90 that was duly advertised as required by law and is entitled:

A RESOLUTION AUTHORIZING THE CONVEYANCE TO THE WATERMEN'S MUSEUM OF TWO PARCELS OF LAND IN YORKTOWN, NAMELY YORK COUNTY TAX MAP PARCELS 18A-01-00-12C (315 WATER STREET) AND 18A-01-00-12F (301 WATER STREET) WITH RESERVED EASEMENTS FOR THE CONSTRUCTION OF A PEDESTRIAN WALKWAY AND FOR SHORELINE STABILIZATION AND FOR OTHER PUBLIC PURPOSES.

There being no one present who wished to speak concerning the subject Resolution, Chairman Burgett closed the public hearing.

Mr. Wiggins then moved the adoption of proposed Resolution R03-90 which reads:

A RESOLUTION AUTHORIZING THE CONVEYANCE TO THE WATERMEN'S MUSEUM OF TWO PARCELS OF LAND IN YORKTOWN, NAMELY YORK COUNTY TAX MAP PARCELS 18A-01-00-12C (315 WATER STREET) AND 18A-01-00-12F (301 WATER STREET) WITH RESERVED EASEMENTS FOR THE CONSTRUCTION OF A PEDESTRIAN WALKWAY AND FOR SHORELINE STABILIZATION AND FOR OTHER PUBLIC PURPOSES.

WHEREAS, the County has entered into a certain agreement with the Watermen's Museum, a Virginia nonprofit corporation located in Yorktown, whereby the Museum will convey to the County several easements needed in connection with the Yorktown Riverwalk project in exchange for which the County will convey to the Museum, with certain retained easements, a parcel of real property located on the Yorktown waterfront and owned by the County identified as York County Tax Map Parcel 18A-01-00-12C (Parcel 12C) and another parcel of property on the Yorktown waterfront of which the County is contract purchaser, being York County Tax Map Parcel 18A-01-00-12F (Parcel 12F); and

WHEREAS, Code of Virginia § 15.2-1800 requires that a public hearing be held prior to the adoption of a resolution authorizing the conveyance of any County-owned real estate; and

WHEREAS, this matter has been duly advertised for a public hearing, and following the holding of the public hearing, it is the opinion of this Board that the conveyance of the two above-referenced parcels to the Watermen's Museum, with certain retained easements, is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 20th day of May, 2003, that it does hereby authorize the County Administrator to execute deeds conveying to the Watermen's Museum both Parcel 12C and Parcel 12F, Parcel 12F to be conveyed only at such time as the County shall have acquired title, both parcels to be subject to those easements shown on the plats attached to the County Administrator's Report to the Board of May 8, 2003, both conveyances to be made in accordance with the terms and conditions set out in the above-referenced agreement with the Museum and approved as to form by the County Attorney.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett

Nay: (0)

#### **CITIZEN'S COMMENTS** (continued)

Mr. Moody Harp, 711 Dogwood Road, stated he had built his house at the end of Dogwood Road four years ago and expressed the need for Dogwood Road to be widened. He stated he was told by the County that VDOT maintained the road; VDOT told him the road was the County's responsibility. He asked for the Board's help in determining who owns and maintains the road and in having the road widened.

#### **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett reported that he is still working on the land swap project with the National Park Service and is working with an attorney in Philadelphia who has prepared draft deeds. He explained that the plats depicting the parcels and easements the County is receiving are being reviewed by the Department of Environmental and Development Services. He is hoping for finalization within the next couple of months. He announced that his office now had a new law clerk for the summer.

#### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. Carter reported that the Board's next regular meeting would be June 3. He mentioned that the County received good news at a recent VDOT meeting with regard to the Six-Year Plan that the Commonwealth Transportation Board (CTB) has under review. He stated the CTB would be adopting it on June 19, and it includes additional funding for the Route 17 widening project between Wolftrap and Route 134; that allocation has been increased by about \$14 million, which brings the total amount available for that project up to \$31 million to match the estimated costs. He also stated there was \$600,000 proposed in the plan for Route 17 and other major arterial signal coordination work. The Cary's Chapel Road intersection made it onto the regional congestion relief project list which means that there will be \$1.4 million available from that special funding category that can be devoted to the Cary's Chapel Road intersection project, which means there can be \$1.4 million of secondary funding freed up for the Board to allocate to other projects in the County.

Mr. Shepperd noted that over time the County has been paying into the plan and over time there would still be a shortfall of approximately \$700,000. He asked if the additional money would help expedite the development.

Mr. Carter indicated that the final cost needed to be determined, and he agreed that it could be as much as \$1.4 million or somewhat less as well.

#### **MATTERS PRESENTED BY THE BOARD**

Mr. Zaremba reported on his Town Meeting held May 12 that resulted in over 100 residents appearing to discuss development in the Lightfoot area, the extension of sewer into the Skimino Hills area, water issues, and development of property between Banbury Cross and Old Quaker Estates. He announced another Town Meeting would be held on June 5 in the lower County at York High School from 6:00 p.m. until 7:30 p.m. which will include discussions on the budget, the waterfront project, Route 17 improvements, and the Yorktown Guidelines. He discussed some of the areas of interest in the Legislative Summary handbook prepared by the Virginia Association of Counties (VACo) and mentioned some of the impacts to the County from the state budget cuts. He pointed out that the County had not had an increase in real estate taxes in eight years even though the burden has been placed on localities to increase real estate taxes.

Mr. Wiggins spoke on the Dogwood Road issue as mentioned in Citizen's Comments this evening. He stated that the developer could not be required to widen a state-maintained road. He questioned why the citizens did not speak up about the width of the road when their houses were being built. He stated he would have a meeting with the residents of Dogwood Road, and will meet with staff to see what can be done. Mr. Wiggins also spoke on a meeting he attended regarding the new hospital that will be relocated to York County. Some of the attendees at the meeting stated that York County should not take the hospital from Williamsburg, and he pointed out that the hospital had first looked to James City County which apparently did not have the land required. The hospital then approached York County with its plans for a state of the art hospital. Those plans included a hotel on the grounds for individuals visiting patients in the hospital. Mr. Wiggins stated that the County did not go after the hospital, but there was a suitable piece of land to accommodate the hospital, which will still be named Williamsburg Community Hospital.

Mrs. Noll spoke on the mandates from the state to local government that the Board has to work with during budget times. She mentioned that she chaired the VACo Transportation Committee yesterday and stated she did not have good news. She announced that VDOT would be



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paying off its debt service first, and it looks like more money will be owed on debt service than VDOT will have. There will come a time when the state will not have enough money to take advantage of the federal money where funds have to be matched. She reported that the deficit VDOT hopes to eliminate by the end of its Six-Year Program amounts of \$673,859.

Mr. Shepperd added to the other Board members' comments on spending and how the County is constantly asked to provide money for roads, sewers, and other projects. He explained that government is responsible for prioritizing those needs based upon a given amount of revenue.

He stated the Board takes the requests from citizens seriously and has been very successful in maintaining York County as a highly desirable place to live. As a result, he stated the assessments have gone up, and the demand for property has been driven up. He further explained that the Board is struggling with the cut in revenues, federal and state cuts, and mandates, it is balancing out as best it can. He encouraged citizens get involved and to voice their concerns and desires. Mr. Shepperd stated he felt the County was doing a good job but acknowledged the Board may not be getting things done as fast as desired. He also commended the citizens of the River Point area who took the initiative to clear an overgrown ditch that helped with drainage and mosquito problems.

Chairman Burgett stated he had attended the Business Appreciation event that the Office of Economic Development and the Industrial Development Authority hosted at the Watermen's Museum. He stated that the event had gotten larger since the business community has grown to about 5,000. He also attended the spring prom hosted by Senior Center and was happy to let the Center know that the staff has been working on the senior housing issue in the County. He announced that a ceremony would be held on Memorial Day at 11:00 a.m. in York Hall and the public was invited.

### **CONSENT CALENDAR**

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 3, 4, 5, 6 and 7, respectively.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zaremba, Noll, Burgett

Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

#### **Item No. 3. APPROVAL OF MINUTES**

The minutes of the following meeting of the York County Board of Supervisors was approved:

April 15, 2003, Regular Meeting

#### **Item No. 4. COMMENDTION OF THE 2002-2003 YORK COUNTY YOUTH COMMISSION: Resolution R03-68.**

A RESOLUTION TO COMMEND THE 2002-2003 YORK COUNTY  
YOUTH COMMISSION AND TO EXPRESS THE APPRECIATION OF

THE BOARD OF SUPERVISORS TO EACH INDIVIDUAL MEMBER  
FOR THEIR DEDICATED SERVICE TO YORK COUNTY

WHEREAS, the Board of Supervisors established the York County Youth Commission in 1983; and

WHEREAS, the following youth,

James Noel, Chairman  
Nicole Eickhoff, Vice Chairman  
Tatiana Chaterji, Secretary  
Jessica Case  
Arrion Dennis  
Brittany Hall  
Katherine Kross  
Ryan McConnell  
Ben Perkins  
Courtney Rosso  
Kyle Rowley  
Brian Tai  
Chad Vaillancourt  
Brittany Wicks  
Shamus Williams

have served with distinction on the 2002-2003 York County Youth Commission; and

WHEREAS, the Board of Supervisors is extremely pleased with the worthwhile activities undertaken by the Youth Commission this past year and wishes to publicly recognize the members for their accomplishments, which include:

Preparing for the year by attending training and teambuilding sessions during a two-day orientation period;

Presenting quarterly activity reports to the Board of Supervisors;

Distributing American flags and brochures during the 2002 Yorktown Day Celebration;

Encouraging 18-year olds to register for voting in the November General Election by consulting with the Registrar and designing and distributing an informational flyer through the county's public high schools;

Co-sponsoring the County's third annual Youth Week event focusing on character development and featuring a nationally known youth speaker who spoke to high school students in assemblies throughout the week;

Publicizing and hosting a community meeting at Tabb High School where this speaker met with parents and teens in the best-attended Youth Week evening session yet;

Assisting the Historical Committee by distributing programs and luminaries at the 2002 Christmas Tree-Lighting Ceremony in Yorktown;

Partnering with Parks and Recreation to coordinate and publicize the third annual countywide high school ski trip to Wintergreen Ski Resort, which saw another increase in participation with over 100 students enjoying the day;

Hosting an afternoon of "Valentine Bingo" at the Senior Center of York, providing prizes and refreshments that were enjoyed by the young and young-at-heart alike;

Meeting with members of the James-City County Youth Advisory Council to develop ideas for a separate youth track of seminars and activities at this year's Neighborhoods Conference, and also volunteering and participating in this event where some 65 youth from grades K - 12 attended workshops divided into four age levels;

Working to help hand score, analyze, and report to the Board and community on the commission's "Survey 2002," which explores interests and concerns of the county's high school age citizens and includes Youth Commission recommendations to more effectively serve as a link between the Board and the county's youth;

Appearing before the Board of Supervisors in a public budget hearing and successfully petitioning the Board's support for \$500 educational scholarships to be given to each of the four recipients of the 2004 Outstanding Youth Awards;

Assisting the Historical Committee in its welcoming reception for the 2003 exchange students from the county's sister city of Zweibrucken, Germany, and welcoming the delegation on behalf of York County's youth;

Co-sponsoring the annual Outstanding Youth Awards program with the Board of Supervisors and honoring the award recipients with a reception and formal presentation in May;

Conducting several Saturday morning road cleanups along Goodwin Neck Road again this year as part of VDOT's "Adopt-a-Highway" program; and

Sponsoring a countywide high school Talent Show at York High School's Spring Carnival;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this the 20th day of May, 2003, that the 2002-2003 York County Youth Commission members be, and they hereby are, congratulated for their dedicated service to York County and commended for an outstanding year;

BE IT STILL FURTHER RESOLVED that the York County Board of Supervisors hereby extends its best wishes for continued success to these leaders of today and tomorrow.

Item No. 5. PURCHASE AUTHORIZATION: Resolution R03-85.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR DESIGN OF MOORE'S CREEK DRAINAGE IMPROVEMENTS, PHASE I, AND ELECTRICAL CONNECTION FOR THE LODGE ROAD PUMP STATION.

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, that they involve the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 20th day of May, 2003, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	<u>AMOUNT</u>
Moore's Creek Drainage Improvements, Phase I	\$49,950
Electrical Connection, Lodge Road Pump Station	41,000

Item No. 6. STREET ACCEPTANCE: Resolution R03-87.

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION TO INCLUDE STREETS IN FOXWOOD, SEC-  
TION THREE INTO THE SECONDARY SYSTEM OF STATE HIGH-  
WAYS

WHEREAS, the following streets, which are shown on plats recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has inspected these streets and found them to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form SR-5A, plus the necessary easements for cuts, fills, and drainage for these streets;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 20th day of May, 2003, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the streets described on the following Form SR-5A as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Foxwood, Section Three, and to the Resident Engineer of the Virginia Department of Transportation.

**In the County of York**

By resolution of the governing body adopted May 20th, 2003

***The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.***

***Report of Changes in the Secondary System of State Highways***

May 20, 2003

Form SR-5A

Secondary Roads Division 5/1/99

**Project/Subdivision****Foxwood, Section Three**Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229****Route Number and/or Street Name****Bill Sours Drive, State Route Number 1488***Description:* **From:** Route 1481 (Hounds Chase)**To:** Route 1489 (View Hallo Way)

A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 2/6/2001 in Plat Book 13, Pages 235-236, and on 1/17/02 in Instrument #020000921, with a width of 50'

*Description:* **From:** Route 1489 (View Hallo Way)**To:** End of cul-de-sac

A distance of: 0.04 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 1/17/2002 in Instrument #020000921, with a width of 50'

**View Hallo Way, State Route Number 1489***Description:* **From:** Route 1488 (Bill Sours Drive)**To:** End of cul-de-sac

A distance of: 0.07 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 1/17/2002 in Instrument #020000921, with a width of 50'

Item No. 7. ISSUANCE OF HOSPITAL REVENUE NOTES FOR SENTARA HEALTHCARE FACILITY: Resolution R03-91

A RESOLUTION TO CONCUR WITH AND APPROVE THE ISSUANCE OF HOSPITAL REVENUE NOTES FOR SENTARA (WILLIAMSBURG COMMUNITY HOSPITAL)

WHEREAS, there has been described to the Industrial Development Authority of York County, Virginia (the "Authority"), the plan of finance of Sentara Healthcare (the "Company")

and certain of its not-for-profit affiliates comprising a portion of the Company's integrated health care delivery system and operation (collectively, with the Company, the "Sentara Healthcare Group"), all of whose principal place of business is 6015 Poplar Hall Drive, Norfolk, Virginia 23502 for the issuance by the Industrial Development Authority of the City of Norfolk (the "Norfolk Authority") of its revenue notes (the "Notes") in an amount not to exceed \$160,000,000 to assist the Sentara Healthcare Group in (a) undertaking the acquisition, construction and installation of certain capital expenditures, including building renovations and improvements, diagnostic, therapeutic, surgical and fitness equipment, medical office furnishings and equipment, health care business office furnishings and equipment, motor vehicles and equipment and furnishings for in-patient and out-patient procedures, treatments and consultations at hospitals, clinics, doctors' offices and emergency centers (collectively, the "Expenditures") and (b) to pay certain costs of issuance relating to the Notes; and

WHEREAS, each such Expenditure will be or are owned and/or operated by one of the members of the Sentara Healthcare Group and a portion of such Expenditures will be located at one or more of the locations in the York County, Virginia, described in Exhibit A attached hereto; and

WHEREAS, as one of the acts required in order for the interest on such Notes to qualify for exemption from the imposition of federal income tax, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 15.2-4906 of the Virginia Code require approval by the City Council of the City of Norfolk and by this Board of the issuance of any private activity bonds by the Norfolk Authority with respect facilities located in the York County after the Norfolk Authority and the Authority have held public hearings to consider the issuance of such Notes; and

WHEREAS, the Norfolk Authority held a public hearing with respect to the Notes on March 26, 2003, and has adopted an approving resolution (the "Norfolk Resolution") with respect thereto; and

WHEREAS, the City Council of the City of Norfolk approved the issuance of the Notes by resolution adopted on April 29, 2003 (the "Norfolk City Council Resolution"); and

WHEREAS, the Authority held a public hearing on May 7, 2003, in compliance with the requirements of the Code and the Virginia Code and after such public hearing, did adopt a resolution approving the plans of the Norfolk Authority as stated in the Norfolk Resolution and recommending to this Council that it concur with the Norfolk Resolution, as required by Section 15.2-4905 of the Virginia Code, and approve the issuance of the Notes, as required by Section 15.2-4906 of the Virginia Code; and

WHEREAS, a copy of the Norfolk Resolution, a copy of the Authority's approving resolution, a reasonably detailed summary of the comments expressed at the public hearing with respect to the Notes held by the Authority and a statement in the form prescribed by Section 15.2-4907 of the Virginia Code have been filed with this Council;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF YORK COUNTY, VIRGINIA:

1. The Expenditures proposed to be financed by the issuance of the Notes and to be located in the York County, Virginia, are deemed appropriate for such financing and, accordingly, the Board of Supervisors of York County hereby concurs in the issuance of the Notes by the Norfolk Authority, to the extent required by the Code and Section 15.2-4905 of the Virginia

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Code, and approves the issuance of the Notes, to the extent required by the Code and Section 15.2-4906 of the Virginia Code.

2. The approval of the issuance of the Notes does not constitute an endorsement to the prospective purchasers of the Notes of the creditworthiness of the Sentara Healthcare Group and the Notes shall provide that neither York County nor the Authority nor any other political subdivision of the Commonwealth of Virginia shall be obligated to pay the Notes or the interest thereon or other costs incident thereto except for the revenues and moneys pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof shall be pledged thereto.

3. This resolution shall take effect immediately upon its adoption.

**CLOSED MEETING.** At 8:55 p.m. Mr. Shepperd moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

**Meeting Reconvened.** At 9:00 p.m. the meeting was reconvened in open session by order of the Chair.

**Mrs. Noll** moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM  
OF INFORMATION ACT REGARDING MEETING IN CLOSED MEET-  
ING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 20th day of May, 2003, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett

Nay: (0)

APPOINTMENT TO THE YORK COUNTY BOARD OF BUILDING CODE APPEALS

Mr. Wiggins moved the adoption of proposed Resolution R03-55 which reads:

A RESOLUTION TO APPOINT A MASTER MECHANIC MEMBER TO  
THE YORK COUNTY BOARD OF BUILDING CODE APPEALS

BE IT RESOLVED by the York County Board of Supervisors this 20<sup>th</sup> day of May, 2003, that Walter Ethridge be, and is hereby appointed to the York County Board of Building Code Appeals for a term of three years, such term to begin April 1, 2003, and expire March 31, 2006.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett

Nay: (0)

Meeting Adjourned. At 9:01p.m. Chairman Burgett declared the meeting adjourned sine die.

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James O. McReynolds, Clerk  
York County Board of Supervisors

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James S. Burgett, Chairman  
York County Board of Supervisors